

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

VICTOR JACKSON,

Defendant.

8:06CR97

ORDER

Defendant Victor Jackson (Jackson) appeared before the court on November 9, 2012, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 49). Jackson was represented by Assistant Federal Public Defender Jeffrey L. Thomas and the United States was represented by Assistant U.S. Attorney Kimberly C. Bunjer. Through his counsel, Jackson waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition alleges probable cause and that Jackson should be held to answer for a final dispositional hearing before Chief Judge Laurie Smith Camp.

The government moved for detention. Through counsel, Jackson declined to present any evidence or but requested release on conditions. Since it is Jackson's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Jackson has failed to carry his burden and that Jackson should be detained pending a dispositional hearing before Chief Judge Smith Camp.

IT IS ORDERED:

1. A final dispositional hearing will be held before Chief Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 8:30 a.m. on February 7, 2013**. Defendant must be present in person.

2. Defendant Victor Jackson is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 9th day of November, 2012.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge